APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/306,888	05/07/1999	DAVID G OPSTAD	P2380-505	4127

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EXAMINER
HAVAN, THU THAO

ART UNIT	PAPER NUMBER
2672	

DATE MAILED: 01/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.		Applicant(s)	
Office Action Summary	09/306,888		OPSTAD ET AL.	
	Examiner		Art Unit	
	Thu-Thao Havan		2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11/13/02* .

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9,11-13,16-20,22-27 and 29-31* is/are rejected.

7)☒ Claim(s) *10,14,15,21 and 28* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)		4)☐ Interview Summary (PTO-413) Paper No(s). _____ .	
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)		5)☐ Notice of Informal Patent Application (PTO-152)	
3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .		6)☐ Other: .	

DETAILED ACTION

Response to Amendment

1.   Claims **1-31** are pending in the present application.

2.   Applicant's arguments filed November 13, 2002 have been fully considered but they are not persuasive. As addressed below, Sonnenschein and Patel et al. teaches the claimed limitations.

A.) In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., if one or more required tables is missing, it can be automatically synthesized from data in the other tables) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

B.) In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Both Sonnenschein and Patel teach changes font style features. The glyphs are layout in tables.

C.) a predetermined data table that pertains to the layout of glyphs (col. 5, line 10 to col. 6, line 35; col. 4, lines 41-66; figs. 2a—element 240, 4-6, and 8a-8f). In other words, Sonnenschein teaches a data table pertains to the layout of the glyphs in figures 4-8f. Figures 4-6 and 8a-8f disclose a predetermined data table for the needed glyphs.

D.) automatically synthesizing data table, based upon data contained in the font, if

the font is determined not to contain data table (col. 4, line 34 to col. 7, line 29; figs. 2—

element 210 and 4—element 420). In other words, Patel's system creates subtables to

store in fonts. Based on the font style that are needed then the subtables are created.

Claim Objections

3.   Claims **10, 14-15, 21, and 28** are objected to as being dependent upon a

rejected base claim, but would be allowable if rewritten in independent form including all

of the limitations of the base claim and any intervening claims.

The prior art of record fails to anticipate or rendered obvious the technical

features of claims **10, 14-15, 21, and 28**. The prior art fails to teach or suggest having

determining whether data table is of a first type or a second type when the data is

determined not to be present in the font; directly initiating synthesizing step if data table

is of first type; or, providing an indication that data table is not present in the font if data

table is of second type, and initiating synthesizing step upon receipt of a request that is

responsive to indication as recited in the claim.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims **1-9, 11-13, 16-20, 22-27, and 29-31** are rejected under 35 U.S.C. 103(a)

as being unpatentable over Sonnenschein (US patent no. 5,500,931) in view of Patel et

al (US patent no. 6,426,751).

Re claims **11, 19, and 26**, Sonnenschein teaches a system for generating

images of characters, comprising a font subsystem which is responsive to identification

of characters to access at least one font file to retrieve glyphs associated with the

identified characters (col. 5, lines 12-27), and data tables that contain information about

glyphs in the font (figs. 4-6), a font table synthesizer which is responsive to the absence

of a predetermined data table for creating and storing table on the basis of data

contained in the font file (col. 4, lines 41-52).

Sonnenschein fails to specifically disclose creating a table.

However, Patel specifically teaches creating a table (col. 1, lines 17-41; fig. 4). In

other words, Patel teaches creating a table for the font layout. The table contains

information on glyph positioning, glyph substitution, justification, and baseline

positioning.

Therefore, taking the combined teaching of Sonnenschein and Patel as a whole,

it would have been obvious to combine the teaching of Patel to the system of

Sonnenschein because doing so would have enabled processing fonts to improve font

layout in a table format as noted in Patel (col. 1, lines 17-41; figs. 2 and 4-element 420).

Re claims **12 and 25**, Patel discloses font subsystem determines whether a

predetermined data table is contained in the font file, and causes synthesizer to create

table when a determination is made that the table is not present in the font file (col. 4, line 52 to col. 5, line 7; fig. 4).

Re claims **13, 20, and 27**, Patel discloses an annex file (col. 7 to col. 14).

Re claims **6, 16, 22, and 29**, Sonnenschein teaches a method for automatically synthesizing a data table that contains information about glyphs in a font, comprising the steps of building a font map that contains information about individual glyphs in the font (col. 5, lines 12-27), determining relationships between items of information in the font map.

Sonnenschein fails to specifically disclose constructing a table.

However, Patel specifically teaches constructing a table (col. 1, lines 17-41; fig. 4). In other words, Patel teaches constructing a table for the font layout. The table contains information on glyph positioning, glyph substitution, justification, and baseline positioning.

Therefore, taking the combined teaching of Sonnenschein and Patel as a whole, it would have been obvious to combine the teaching of Patel to the system of Sonnenschein because doing so would have enabled processing fonts to improve font layout in a table format as noted in Patel (col. 1, lines 17-41; figs. 2 and 4-element 420).

Re claims **7-8, 17-18, 23-24, and 30-31**, Sonnenschein discloses font map is specific to the font and other information is generic to multiple fonts (col. 5, lines 39-59).

Re claims **1-5 and 9**, the limitations of claims 1-5 and 9 are analyzed as discussed with respect to claims 11-13, 16-20, and 22-27 above.

Conclusion

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Inquiries

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Thu-Thao Havan whose telephone number is (703)

308-7062. The examiner can normally be reached on Monday to Thursday from 9:00-

5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Michael Razavi can be reached on (703) 305-4713.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal

Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the Technology Center 2600 Customer Service Office

whose telephone number is (703) 306-0377.

Thu-Thao Havan

January 15, 2003

MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600